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**SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE  
COUNTY OF LOS ANGELES**

DAVID A. GLAZER, an individual,  
  
Plaintiffs,  
  
vs.  
  
CHENEY ADRIENNE SHAPIRO; ET AL.  
  
Defendants.

**CASE NO. BC669741**

Complaint Filed: July 25, 2017  
Assigned To: Hon. Richard E. Rico  
Dept.: 17

**JOINT REPORT OF PLAINTIFF AND THE  
CHENEY SHAPIRO DEFENDANTS RE OSC RE  
DISMISSAL**

**OSC INFORMATION:**

Date: May 16, 2019  
Time: 8:30 a.m.  
Dept.: 17  
Trial Date: None set

**JOINT REPORT**

**1. Summary**

This is primarily a residential real estate failure to disclose lawsuit. Plaintiff Glazer purchased the subject home from the defendants collectively referred to as "Cheney Shapiro".

As previously reported to the Court, the parties have reached a global contingent settlement that involves a complex rescission whereby the selling defendant, collectively "Cheney Shapiro", is going to re-acquire the subject home from plaintiff David Glazer. In addition to the rescission, defendants will make cash payments to plaintiff Glazer.

The settlement is contingent upon completion of the rescission transaction. Unfortunately, the transaction is taking longer than expected due to the lender moving slowly on the loan funding due to the unusual nature of the transaction (rescission). The escrow officer handling the transaction informed Plaintiff's counsel the following: "I asked the lender if

1 he can confirm closing by the end of the month and he said possibly, but no guarantees. To be  
2 on the safe side, I would recommend you amend the Joint Report to state we will close no later  
3 than 1st week of June.” Based upon the foregoing information, counsel respectfully request the  
4 OSC be continued to July, 2019.

5 This global settlement was put together in mediation with retired LASC Superior Court  
6 Judge Richard A. Stone (Ret).

7 **2. The Rescission Transaction Is Close to Completion-Only the Rescission Loan**  
8 **Underwriting is Delaying Completion of the Transaction**

9 The parties to the rescission transaction – plaintiff David Glazer and the Cheney Shapiro  
10 defendants, have signed the rescission escrow instructions, and the Cheney Shapiro defendants  
11 have raised the money for the down payment.

12 The only matter to be completed is the funding of the loan for the Cheney Shapiro  
13 defendants to complete the rescission and re-acquire the subject home from plaintiff David  
14 Glazer. Counsel has been informed that the slow processing of the loan is related to the nature  
15 of the transaction – a rescission, which is an uncommon transaction and requires a more  
16 detailed underwriting process.

17 On Friday, May 10, 2019, plaintiff’s counsel received the following update from the escrow  
18 officer handling the file: “I asked the lender if he can confirm closing by the end of the month  
19 and he said possibly, but no guarantees. To be on the safe side, I would recommend you  
20 amend the Joint Report to state we will close no later than 1st week of June.”

21 **3. Request to Continue the OSC re Dismissal to July, 2019**

22 Based upon information provided by the escrow officer, counsel expect the rescission  
23 transaction to be completed before the end of June, 2019, and request the Court to continue  
24 the OSC July, 2019.

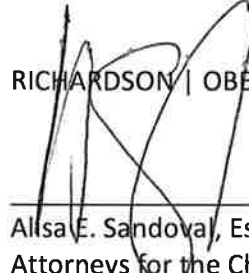
25 All parties desire to complete the rescission and avoid a prolonged trial of this action, and  
26 the additional time requested will provide the rescission escrow to be completed and the thus  
27 settlement concluded.

Respectfully Submitted

HARTMANN & KANANEN



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**PROOF OF SERVICE**  
**Glazer v Shaprio, et al.**  
**Los Angeles County Sup. Ct. Case No. BC669741**

I am employed in Los Angeles County, State of California. I am over the age of eighteen years and not a party to the within action. My business address is the law firm of Hartmann & Kananen, 5743 Corsa Ave., Suite 119, Westlake Village, California 91362. My electronic notification address is constructiondefects@sbcglobal.net.

On May 13, 2019, I served the document(s) described as:

**JOINT REPORT OF PLAINTIFF AND THE CHENEY SHAPIRO DEFENDANTS RE OSC RE DISMISSAL**

**[XX]** on all the interested parties in this action, by placing: ☐ the original **[XX]** true copies thereof enclosed in sealed envelopes, addressed as follows, which addresses are the addresses last given by the respective addressees on any document filed in the above case and served on the Hartmann & Kananen:

**SEE ATTACHED LIST**

**[XX] BY MAIL:** On the date set forth below I deposited such envelope(s), in a mailbox regularly maintained by the U.S. Postal Service in Westlake Village, California. The envelope(s) was/were deposited with postage thereon fully prepaid.

**[XX] BY E-MAIL:** On the date indicated below, I caused the above described document to be sent to counsel on the attached list via e-mail to the e-mail addresses on the attached list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed this 13<sup>th</sup> day of May, 2018, at Westlake Village, California.



Ronald A. Hartmann

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